

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CHARLES WAYNE LOCKHART,

Petitioner,

vs.

RICK THALER,

Respondent.

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CIVIL ACTION H-10-1574

MEMORANDUM AND OPINION

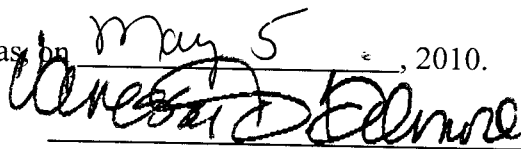
Petitioner filed this action seeking habeas corpus relief under 28 U.S.C. § 2254. He challenges a conviction in the 344th Judicial District Court of Chambers County, Texas. Petitioner seeks leave to proceed *in forma pauperis*.

Under 28 U.S.C. § 2241(d), the district court in which the writ of habeas corpus was filed may transfer the writ to the district where the state court which convicted and sentenced the petitioner is located.

The Clerk is ORDERED to transfer this application for writ of habeas corpus to the Clerk of the Southern District of Texas, Galveston Division.

Petitioner's motion to proceed *in forma pauperis*, (Docket Entry No. 2), is DENIED without prejudice to reconsideration after transfer.

SIGNED at Houston, Texas, on May 5, 2010.



VANESSA D. GILMORE  
UNITED STATES DISTRICT JUDGE